

JS-6

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

**ADAM SHARPE,**

Petitioner,

v.

**WARDEN,**

Respondent.

**No. LA CV 22-08874-VBF-AFM****ORDER**

Dismissing Case for Lack of Prosecution,  
Failure to Comply with Court Order, and  
Failure to Pay Case Filing Fee

On December 6, 2022, proceeding pro se, California stateprisoner Adam Sharpe (“petitioner”) filed a petition for writ of habeas corpus pursuant to 28 U.S.C. section 2254, which was docketed on December 8, 2022. *See* CM/ECF System Document (“Doc”) 1. That same day, December 8, 2022, the Clerk’s Office issued a CV-111 Notice Re: Discrepancies in Filing of Habeas Corpus Petition (Doc 4), noting that petitioner had neither paid the filing fee nor filed a request to proceed in forma pauperis and waive the filing fee.

The CV-111 Notice directed petitioner to either pay the filing fee or submit a CV-60P Request to Proceed Without Prepayment within thirty days. Not counting the day that petitioner received the Notice, *see* Fed. R. Civ. P. 6, that thirty-day period elapsed at midnight on January 8, 2023. The Notice clearly warned petitioner, “If you do not respond within thirty days from the date below [December 8, 2022], your action may be dismissed.” Doc 4 at 1. To date, the Court has received no payment of the filing fee, no request to waive

1 the fee, and no other communication from the petitioner.

2 **Accordingly, this case is DISMISSED without prejudice for lack of prosecution,**  
3 **failure to comply with court order, and failure to pay the case filing fee or seek waiver**  
4 **of the fee.**

5 The case is TERMINATED (JS-6) and CLOSED.

6 IT IS SO ORDERED.

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9 Dated: March 22, 2023



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11 Honorable Valerie Baker Fairbank  
12 Senior United States District Judge  
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